

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Beverly M. Emerson

Application No.: 09/781,592

Filed: February 12, 2001

Confirmation No.: 1304

For: METHOD OF REGULATING
TRANSCRIPTION IN A CELL

Examiner: Maria Marvich, Ph.D.

Art Unit: 1636

Attorney Reference No.: 7158-71254-03

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Debra L. Anderson

Date Mailed July 15, 2005

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for submission in the above-referenced application are:

- ☒ An Amendment and Response to Non-Final Office Action; and
☒ A check in the amount of \$60.00 for payment of a one-month extension fee.

The fee has been calculated as shown below:

| CLAIMS AS AMENDED | | | | | | |
|--|---------------------|-------------------------|---|---------------|----------|---------|
| For | No. after amendment | No. paid for previously | | Present Extra | Rate | Fee |
| Total Claims | 39 | - 69* | = | 0 | \$25.00 | \$ 0.00 |
| Indep. Claims | 2 | - 4** | = | 0 | \$100.00 | \$ 0.00 |
| Mult. Dep. Claims Fee (if not previously paid) | | | | | \$180.00 | |
| One-month Extension of Time | | | | | \$60.00 | \$60.00 |
| Two-month Extension of Time | | | | | \$225.00 | |
| Three-month Extension of Time | | | | | \$510.00 | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | \$60.00 |

* greater of twenty or number for which fee has been paid.

** greater of three or number for which fee has been paid.

Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required please consider this a petition therefor.

Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.

Please return the enclosed postcard to confirm that the items listed above have been received.

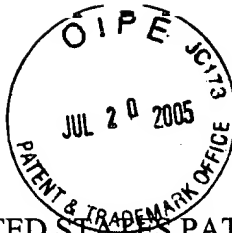
Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By Debra A. Gordon
Debra A. Gordon, Ph.D.
Registration No. 54,128

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 228-9446

cc: Docketing



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Name: Beverly M. Emerson

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AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

This Amendment and Response to Non-Final Office Action ("Amendment") is filed in response to the non-final Office action, dated March 16, 2005. A three-month period for reply was set, making a no-fee response due on or before June 16, 2005. Applicant hereby requests a one-month extension of time for response; thus, this Amendment is timely filed on or before Monday, July 18, 2005. A one-month extension fee accompanies this filing. The Commissioner is authorized to charge any additional fees that may be required in connection with this filing to the deposit account referenced on the accompanying transmittal letter.

Please amend the claims as set forth beginning on page 2 of this Amendment.

Remarks begin on page 9 of this Amendment.

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